



Office of Tax Appeals

DUTY STATEMENT

☐ CURRENT

☒ PROPOSED

SCHEDULE TO BE WORKED/WORKING HOURS Monday – Friday/8:00 AM – 5:00 PM			EFFECTIVE DATE	
CIVIL SERVICE CLASSIFICATION Tax Counsel III			WORKING TITLE Tax Counsel III	
DIVISION/OFFICE/UNIT Legal Division/Foundations Section			SPECIFIC LOCATION ASSIGNED TO 12900 Park Plaza Drive, Suite 300 Cerritos, CA 90703	
CBID R02	DESIGNATED COI <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	PROBATION PERIOD 12 months	WORK WEEK GROUP SE	CERTIFICATES REQUIRED State Bar Membership
FINGERPRINTS REQUIRED <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		BILINGUAL POSITION <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	SUPERVISION EXERCISED None	
INCUMBENT VACANT			POSITION NUMBER (Agency-Unit Class Serial) 292-301-6733-XXX	
<i>The mission of the Office of Tax Appeals is to provide a fair, objective and timely process for appeals from California taxpayers.</i>				
POSITION'S ORGANIZATIONAL SETTING AND MAJOR FUNCTIONS Under the general direction of the Assistant Chief Counsel of the Foundations Division, the Tax Counsel III (Specialist) handles complex tax appeals involving Franchise and Income Tax Law, Sales and Use Tax Law other business taxes. The Tax Counsel III (Specialist) may act as a pre-hearing officer for complex tax appeals; draft opinions and recommendations; and present the Foundations Division opinions to the Hearings Section of the Office of Tax Appeals. The Tax Counsel III (Specialist) may act in a lead capacity, directing and reviewing the work of other tax counsels in the Foundations Division. Candidate must be able to perform the following essential job functions with or without reasonable accommodation.				
PERCENTAGE OF TIME SPENT		DUTIES		
45%		Essential Job Functions: Acts as the reviewer and draft opinion writer for complex tax appeals involving the Franchise and Income Tax law, Sales and Use Tax Law, and other business taxes. Independently conducts research on highly technical areas of law and drafts opinions and recommendations for highly complex tax appeals cases handled by the Hearings Division of the Office of Tax Appeals. The Tax Counsel III may hold informational conferences with taxpayers/parties to ensure the completeness of the arguments and evidence before drafting opinions and recommendations for the Hearings Division.		
30%		Tax Counsel III acts as a lead attorney for other Tax Counsels in the Foundations Division. The Tax Counsel III provides substantive and procedural advice to other Tax Counsels and staff in OTA's Legal Division; also reviews other Tax Counsels in drafting opinions and recommendations.		
20%		Provides unbiased legal advice and direction to the Administrative Law Judges assigned to hear cases at the Office of Tax Appeals. Drafts internal deliberation memoranda to be presented to Administrative Law Judges. Drafts post-hearing documents for the Office of Tax Appeals as needed.		
5%		Marginal Job Functions: Performs analytical assignments and works on special projects including preparing administrative reports, and other duties as assigned within the knowledge and skill of the Tax Counsel III.		

WORK ENVIRONMENT OR PHYSICAL ABILITIES REQUIRED FOR THE JOB (if applicable):		
Work Environment: <ul style="list-style-type: none"> • Workstation is equipped with standard or ergonomic office equipment, as appropriate. • Travel may be required to support locations to attend meetings, training, or hearings. • Travel may be required 30% of the time to other OTA offices located in California by train, plane, and or automobile. 		
Physical Abilities: <ul style="list-style-type: none"> • Ability to operate standard office equipment such as, but not limited to a personal computer (desktop or laptop models), paper shredder, basic calculator, document systems (copier, facsimile, imaging) • Ability to complete tasks that require making repetitive hand movements in the performance of daily duties. • Requires prolong sitting and/or standing at a workstation 		
Additional Requirements/Expectations: <ul style="list-style-type: none"> • Understanding of OTA's goals and willingness to adhere to OTA's Code of Conduct. • Must maintain regular and acceptable attendance at such a level as is determined at the Department's discretion. • Must be regularly available and willingness to work the hours the Department determines are necessary • State and local tax experience • Demonstrate ability to work effectively in a collaborative team environment. • Strong writing skills with experience drafting legal memoranda, briefing, and/or decisions. • Demonstrate ability to effectively self-manage multiple deadlines. • This position is designated under the Conflict of Interest Code and is responsible for making or participating in the making of government decisions that may potentially have a material effect on personal financial interests. • The appointee is required to complete Form 700 within 30 days of appointment. Failure to comply with the Conflict of Interest Code requirements may void the appointment. • Ability to exercise independent judgment. • Willingness to accept responsibility, exercise initiative, adapt to changes, and implement management's decisions. • Ability to plan, organize, and prioritize workload. • Positive attitude, open-mindedness, flexibility and tact. • Ability to communicate effectively to successfully achieve OTA objectives, and goals. 		
<i>I have read this duty statement and fully understand that I must perform the Essential Job Functions of my position with or without reasonable accommodation.</i>		
PRINT EMPLOYEE NAME	EMPLOYEE'S SIGNATURE	DATE
<i>I certify that the above accurately represents the duties of the position and that I have reviewed these duties with the above-named employee.</i>		
PRINT SUPERVISOR NAME	SUPERVISOR'S SIGNATURE	DATE
HRO Approval Date:	C&P Analyst Initials:	

